

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

2021 JAN 13 PM 3:47

UNITED STATES OF AMERICA,

Plaintiff,

v.

IAN HORN,

Defendant.

No.

MARGARET BOTKINS, CLERK
CHEYENNE

21-cr-14-F

Cts. 1-2: 18 U.S.C. § 1623(a)

(False Declaration Before
Grand Jury)

INDICTMENT

THE GRAND JURY CHARGES THAT:

1. Beginning in January 2016, and continuing through November 2019, the grand jury for the District of Wyoming conducted an investigation to determine whether criminal violations of Titles 15 and 18 of the United States Code had been committed in relation to EcoEmissions Solutions Inc. a/k/a NuTech Energy Resources Inc. (NuTech), and, if so, who committed those crimes. The crimes under investigation included mail and wire fraud, securities fraud, conspiracy, and identity theft.

2. On October 16, 2018, investigators served a subpoena on **IAN HORN** that required him to testify before the grand jury and to provide certain records to the grand jury, including documents and communications related to NuTech.

3. On January 16, 2019, **IAN HORN** testified under oath before the grand jury in Cheyenne, Wyoming. As part of his testimony, **HORN** identified records he provided to the grand jury in response to the subpoena. It was material to the investigation that the grand jury ascertain the following:

- a. whether **IAN HORN** possessed and could access email communications from the years 2014 and 2015 regarding NuTech, specifically including email to and from J.H., who was a subject of the investigation and a person known to the grand jury; and
- b. whether, when he was served the subpoena on October 16, 2018, **IAN HORN** possessed certain opinion letters related to NuTech and apparently written and signed by **HORN** in 2015.

COUNTS ONE & TWO

4. Paragraphs 1-3 are re-alleged for purposes of charging Counts One and Two.
5. On or about January 16, 2019, in the District of Wyoming, the Defendant, **IAN HORN**, while under oath and testifying in a proceeding before a grand jury of the United States, knowingly made the following false and material declarations.

Count	False and Material Declaration	Truth Known to the Defendant When He Testified
One	<p>Q: Why don't you have any of your email correspondence with [J.H.] regarding NuTech?</p> <p>A: I had a crash of my computer at the end of 2016 that wiped out anything basically that wasn't saved, which was, unfortunately, my emails.</p> <p>Q: Do you have access to your email through an online service?</p> <p>A: I do not. ...</p>	<p>The Defendant had email regarding NuTech, including email correspondence with J.H., because the Defendant could, and did, access email from 2014 and 2015 regarding NuTech, including email correspondence with J.H., between service of the subpoena on October 16, 2018, and his testimony on January 16, 2019.</p>

Count	False and Material Declaration	Truth Known to the Defendant When He Testified
Two	<p>Q: When you got the subpoena in September or October of 2018, did you have any records that were related to the work you had done for NuTech Energy Resources?</p> <p>A: I think I certainly had some opinion letters....</p>	The Defendant did not have any of the NuTech opinion letters when the subpoena was served on October 16, 2018.

All in violation of 18 U.S.C. § 1623(a).

A TRUE BILL:

/s/ Ink Signature on File in Clerk's Office
FOREPERSON



MARK A. KLAASSEN
United States Attorney

PENALTY SUMMARY

DEFENDANT NAME: IAN HORN**DATE:** January 12, 2021**INTERPRETER NEEDED:** No**VICTIM(S):** No**OFFENSE/PENALTIES:****Cts: 1-2 18 U.S.C. § 1623(a)**
(False Declaration Before Grand Jury)0-5 Years Imprisonment
Not more than \$250,000 Fine
0-3 Years Supervised Release
\$100 Special Assessment**TOTALS:** 0-10 Years Imprisonment
Not more than \$500,000 Fine
0-3 Years Supervised Release
\$200 Special Assessment**AGENTS:** Tim Pikas, DOI-OIG
Sonia Hacker, USPIS**AUSAs:** Eric Heimann, Assistant United States Attorney
Thomas Szott, Assistant United States Attorney**ESTIMATED TIME OF TRIAL:** 1 to 5 days**WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE:** No**ARE THERE DETAINERS FROM OTHER JURISDICTIONS:** No